

SCOTT N. SCHOOLS (SC 9990)  
United States Attorney

MARK L. KROTOSKI (CSBN 138549)  
Chief, Criminal Division

SUSAN KNIGHT (CSBN 209013)  
Assistant United States Attorney

150 Almaden Blvd., Suite 900  
San Jose, California 95113  
Telephone: (408) 535-5056  
FAX: (408) 535-5066  
Susan.Knight@usdoj.gov

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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
JAMES RUSSELL FITZGERALD, JR.,  
  
Defendant.

No. CR 06-00074 RMW

XXXXXXXXXX  
STIPULATION AND [PROPOSED]  
ORDER CONTINUING HEARING DATE

SAN JOSE VENUE

The undersigned parties respectfully request that Court continue the status hearing set for June 25, 2007 to July 30, 2007. The defendant is currently incarcerated in North Kern State Prison, and will be unavailable for the June 25<sup>th</sup> appearance. The government recently filed a writ for the defendant to be brought into federal custody on July 26, 2007.

SO STIPULATED:

SCOTT N. SCHOOLS  
United States Attorney

DATED:

/s/  
\_\_\_\_\_  
SUSAN KNIGHT  
Assistant United States Attorney

DATED:

/s/  
\_\_\_\_\_  
LARA S. VINNARD  
Assistant Federal Public Defender

XXXXXXXXXX  
STIPULATION AND [PROPOSED] ORDER  
No. 06-00074 RMW

1 Accordingly, for good cause shown, the Court HEREBY ORDERS that the status hearing be  
2 continued from June 25, 2007 to July 30, 2007 at 9:00 a.m.

3 SO ORDERED.

4  
5 DATED: 6/22/07

/s/ Ronald M. Whyte  
\_\_\_\_\_  
RONALD M. WHYTE  
United States District Judge